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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

**DECLARATION OF EDWARD M.
BURR IN SUPPORT OF OMNIBUS
OBJECTIONS OF USACM TRUST
TO UNALLOCATED AMOUNTS OF
PROOFS OF CLAIM**

Date of Hearing: August 30, 2011

Time of Hearing: 10:30 a.m.

Estimated time for Hearing: 10 minutes

I, Edward M. Burr, hereby declare under penalty of perjury that:

1. I am a principal with Sierra Consulting Group, LLC (“Sierra”). Sierra is one of the leading providers of restructuring advisory and litigation support services in the Southwest. Sierra is a leading national consulting firm comprised of experienced CPAs and other financial professionals.

2. I submit this declaration on behalf of the USACM Liquidating Trust’s Objections to Proofs of Claim filed this date.

3. This Court approved the Official Committee of Unsecured Creditors of USA Commercial Mortgage Company’s (“Committee”) appointment of Sierra as financial advisers on August 11, 2006. From that date to the Effective Date of the Debtors’ confirmed Plan of Reorganization, I have assisted the Committee in analyzing facts

1 concerning these jointly administered bankruptcy cases. As of the Effective Date of the
2 confirmed Plan of Reorganization, Sierra has been retained by the USACM Liquidating
3 Trust to investigate and reconcile the claims against the USA Commercial Mortgage
4 Company (“USACM”) estate.

5 4. I make the following declaration based upon my personal knowledge, and
6 upon the records of the Debtors described in this declaration, including Debtors’ original
7 and amended schedules of liabilities and the proofs of claim described herein, as well as
8 Debtors’ accounting records.

9 5. On March 12, 2007 Effective Date of the Plan, the USACM Liquidating
10 Trust succeeded to USACM’s rights with respect to books and records.

11 6. Sierra has been working closely with both the Trustee for the USACM
12 Liquidating Trust and Development Specialist Inc. (“DSI”), the Trustee’s financial
13 advisor, in evaluating all of the claims that were filed in the USACM estate.

14 7. Sierra discovered upon review of the proofs of claim filed in the USACM
15 case that many of them were based on multiple direct lender loans, so in some instances a
16 single proof of claim was actually several claims based on each Direct Lender’s
17 investments in multiple loans. Each part of such a claim is referred to as a “Partial
18 Claim.” Sierra relied upon the information provided in the proofs of claim to allocate
19 “Partial Claim” amounts to the Direct Lender loans listed in the supporting documentation.
20 Sierra additionally discovered that in some cases the “Partial Claims” did not add up to the
21 claim amount listed on the claim register, “Total Claim Amount.” Sometimes “Partial
22 Claims” added up to an amount more than the “Total Claim Amount” and in other instance
23 the “Partial Claims” added up to an amount less than the “Total Claim Amount.” Exhibit
24 A to the Burr Declaration lists the proofs of Claim where the sum of its “Partial Claims” is
25 less than the “Total Claim Amount.” The “Unallocated Amount” listed on the exhibit is
26 the difference between the “Total Claim Amount” and the sum of its “Partial Claims.”

8. **Exhibit A**, attached to the Burr Declaration, lists Proofs of Claim in which the amounts referred to in the partial claim(s) is (are) less than the total amount stated on the face of the proof(s) of claim (the “Unallocated Amount”). **Exhibit A** identifies the Proof of Claim number, the claimant, the claimant’s address, the total amount of the claim and the amount of the claim that appears to be Unallocated based upon the information provided by the claimant.

Dated: July 24, 2011

/s/ Edward M. Burr
Edward M. Burr
Sierra Consulting Group, LLC

Copy of the foregoing deposited (without exhibit)
In the U.S. Mail, first class postage prepaid, on
July 24, 2011 to the investors listed on Exhibit A.

s/ Matt Burns
Matt Burns
Lewis and Roca LLP